



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BELL, BOYD & LLOYD, LLC
PO BOX 1135
CHICAGO, IL 60690-1135

COPY MAILED

MAR 15 2006

OFFICE OF PETITIONS

In re Application of Zaret et al. :
Application No. 09/881,411 : Decision on Petition
Filing Date: June 14, 2001 :
Attorney Docket No. 116210-005 :

This is a decision on the renewed petition under 37 CFR 1.183 filed March 10, 2006, requesting waiver of the need for the signatures of all the inventors on 37 CFR 1.131 declarations.

The petition is **granted**.

37 CFR 1.131(a) states,

When any claim of an application or a patent under reexamination is rejected, the inventor of the subject matter of the rejected claim, the owner of the patent under reexamination, or the party qualified under §§ 1.42, 1.43, or 1.47, may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based.

The Office has stated the signature requirements of 37 CFR 1.131 can be waived in certain circumstances. For example, the Office may accept an affidavit or declaration signed by fewer than all the inventors upon a showing that equity warrants the relief requested.

Petitioner has established equity warrants waiver of the requirement for the signatures of Graham Lawlor and Robert Seymour.

Technology Center Art Unit 2157 will be informed of the instant decision and the examiner may further consider the merits of the application in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions